

RECEIVED  
CENTRAL FAX CENTER

FEB 09 2007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of	)	Examiner: Brian S. Szmal
Burbank et al.	)	
For: <b>BREAST BIOPSY SYSTEM AND</b>	)	Group Art Unit: 3736
<b>METHODS</b>	)	
Serial No.: 10/719,612	)	
Filed: November 21, 2003	)	
Docket No.: R0367-00105	)	

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-8700, addressed Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 2/9/2007, in San Francisco, CA.

02/12/2007 HDESTA1 00000042 041679 10719612

01 FC:2814

65.00 DA

TERMINAL DISCLAIMER BY ATTORNEY

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Edward J. Lynch, am an attorney representing the Assignee, SenoRx, Inc. The assignee is the registered owner of all right, title and interest in and to the above-identified application. The assignment is recorded in Reel No. 011067, Frame 0259.

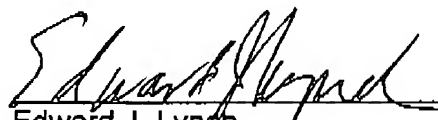
The terminal portion of any patent which is granted on the above-identified application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,331,166 B1 is hereby disclaimed on behalf of the Assignee, SenoRx, Inc.

It is hereby agreed that any patent granted on the above-identified application shall be enforceable only for and during such period that the legal title to any patent granted on the above-identified application shall be the same as the legal title to U.S. Patent No. 6,331,166 B1. This agreement shall run with any patent granted on the

above-identified application and shall be binding upon the grantor, its successors or assigns.

No disclaimer is hereby made on any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,331,166 B1 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(c), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated: \_\_\_\_\_

  
Edward J. Lynch  
Registration No. 24,422  
Attorney for Applicants